

EPA FOIA ANNUAL REPORT

FOR
10/01/2016
THROUGH
09/30/2017

The following **Annual Freedom of Information Act** report covers the
Period 10/01/2016, through 09/30/2017, as required by 5 U.S.C. 552.

I. BASIC INFORMATION REGARDING REPORT

1. Name, Title, Address, and Telephone Number

Larry F. Gottesman

National FOIA Officer

Headquarters

U.S. Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

202-566-2162

2. Electronic address for Report on the agency web site.

<http://www.epa.gov/foia/annual.html>

3. How to obtain a copy of the report in paper form.

National FOIA Officer, FOIA, Libraries and Accessibility Division, Office of Environmental Information, U.S.

Environmental Protection Agency, 1200 Pennsylvania Ave, NW, Mail Code 2821 T, Washington, DC 20460,

(202) 566-1667

II. MAKING A FOIA REQUEST

1. 1. Submit a FOIA request directly to EPA though FOIAonline at:

<https://foiaonline.regulations.gov/foia/action/public/request/publicPreCreate>

2. Send a FOIA request to Headquarters or a regional office through regular mail or via courier services. Both addresses are available at: <https://www.epa.gov/foia/forms/contact-us-about-freedom-information-act-and-foia-requests>

3. For information regarding a specific property you may obtain that information immediately, without filing a FOIA request, by using MyProperty. The address is: www.epa.gov/myproperty.

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Acronyms used :

Acronym

Definition

HQ EPA

Headquarters

Region 1

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Region 10

Alaska, Idaho, Oregon, Washington

Region 2

New Jersey, New York, Puerto Rico, U.S. Virgin Islands and 7 Tribal Nations

Region 3

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

Region 4

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina

Region 5

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Region 6

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Region 7

Iowa, Kansas, Missouri, Nebraska

Region 8	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Region 9	Arizona, California, Hawaii, Nevada, American Samoa, Guam

2. Definition of terms used in this report :

- a. **Administrative Appeal** - a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** - the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** - for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** - the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** - a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** - a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** - an agency decision to disclose all records in full in response to a FOIA request
- i. **Full Denial** - an agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** - the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
- l. **Expedited Processing** - an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.

- m. **Simple Request** - a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
 - n. **Complex Request** - a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
 - o. **Partial Grant/Partial Denial** - in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
 - p. **Pending Request or Pending Administrative Appeal** - a request or administrative appeal for which an agency has not taken final action in all respects.
 - q. **Perfected Request** - a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
 - r. **Processed Request or Processed Administrative Appeal** - a request or administrative appeal for which an agency has taken final action in all respects.
 - s. **Range in Number of Days** - the lowest and highest number of days to process requests or administrative appeals.
 - t. **Time Limits** - the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).
3. Concise descriptions of the nine FOIA exemptions :
- a. **Exemption 1** - classified national defense and foreign relations information
 - b. **Exemption 2** - internal agency rules and practices
 - c. **Exemption 3** - information that is prohibited from disclosure by another federal law
 - d. **Exemption 4** - trade secrets and other confidential business information
 - e. **Exemption 5** - inter-agency or intra-agency communications that are protected by legal privileges
 - f. **Exemption 6** - information involving matters of personal privacy
 - g. **Exemption 7** - records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
 - h. **Exemption 8** - information relating to the supervision of financial institutions
 - i. **Exemption 9** - geological information on wells

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied Upon per Component	Total Number of Times Relied Upon by Agency
41 U.S.C. § 253b(m)(1)	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012)	R7 : 2	2
42 U.S.C. 300i-2(a)(3) (Terrorist and Other Intentional Acts)	Vulnerability assessments	N/A	R6 : 1	1
5 U.S.C. 107(a) (Ethics and Govt Act of 1978)	Financial disclosure information pertaining to certain	Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012)	HQ : 2	2
7 U.S.C. § 136i-1 (Federal Insecticide, Fungicide, and Rodenticide Act)	Data "that would directly or indirectly reveal the identity of individual producers [of certain pesticides]"	Doe v. Veneman, 380 F. 3d 807, 818 (5th Cir. 2004).	HQ : 14	14

V. FOIA REQUESTS

A. Received, Processed and Pending FOIA Requests				
	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
HQ	1050	3619	2822	1847
R1	25	281	285	21
R10	82	344	369	57
R2	246	2132	2135	243
R3	133	692	691	134
R4	79	737	734	82
R5	141	1711	1639	213
R6	149	615	677	87
R7	44	426	437	33
R8	53	241	274	20
R9	77	720	739	58
TOTAL	2079	11518	10802	2795

B.(1) Disposition of FOIA Requests -- All Processed Requests													
				Number of Full Denials Based on Reasons Other than Exemptions									
	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	No records	All records referred to another agency	Request withdrawn	Fee-related reason	Records not reasonably described	Improper FOIA request for other reason	Not an agency record	Duplicate request	Other	TOTAL
HQ	1084	375	67	253	8	316	11	451	98	6	130	23	2822
R1	146	12	0	88	1	28	0	0	0	0	10	0	285
R10	99	72	2	97	1	67	6	2	1	0	22	0	369
R2	1796	4	0	176	0	75	1	43	9	0	31	0	2135
R3	325	61	1	213	0	64	0	3	4	3	17	0	691
R4	281	85	0	271	0	72	0	0	2	0	23	0	734
R5	541	29	1	863	0	136	14	2	9	1	42	0	1638
R6	307	26	1	170	0	157	1	0	1	0	14	0	677
R7	236	9	0	128	0	41	1	2	3	0	17	0	437
R8	83	48	1	61	0	43	0	0	2	5	31	0	274
R9	184	59	4	419	0	39	8	4	2	4	16	0	739
TOTAL	5082	780	77	2739	10	1038	42	507	131	19	353	23	10801

B.(2) Disposition of FOIA Requests -- Other Reasons for Full Denials Based on Reasons Other than Exemptions		
	Description of Other Reasons for Denials from Chart B.(1) & Number of Times Those Reasons Were Relied Upon	TOTAL
HQ	Glomar 0 Litigation 21	21
TOTAL		21

B.(3) Disposition of FOIA Requests -- Number of Times Exemptions Applied														
	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
HQ	1	0	16	80	95	176	26	0	56	1	15	4	0	3
R1	0	0	0	0	2	3	1	0	1	1	0	2	0	2
R10	0	0	0	13	17	71	2	0	0	0	0	0	0	0
R2	0	0	0	0	0	4	0	0	0	0	0	0	0	0
R3	0	0	0	26	11	36	0	1	0	0	0	1	0	8
R4	0	0	0	20	35	61	16	0	6	0	0	0	0	0
R5	0	0	0	1	15	12	5	0	0	0	1	0	0	2
R6	0	0	1	5	5	19	1	0	0	0	0	0	0	1
R7	0	0	2	4	2	2	0	0	0	0	0	0	0	0
R8	0	0	0	17	29	36	13	0	7	0	1	0	0	9
R9	0	0	0	13	16	29	7	0	1	0	0	0	0	13
TOTAL	1	0	19	179	226	449	71	1	71	2	17	7	0	38

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed and Pending FOIA Appeals				
	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
HQ	123	224	204	143
TOTAL	123	224	204	143

B. Disposition of Administrative Appeals All Processed Appeals					
	Number of Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number of Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
HQ	54	35	34	81	204
TOTAL	54	35	34	81	204

C.(1) Reasons for Denial on Appeal Number of Times Exemptions Applied														
	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
HQ	0	0	0	0	10	9	1	0	5	0	0	0	0	0
TOTAL	0	0	0	0	10	9	1	0	5	0	0	0	0	0

C.(2) Reasons for Denial on Appeal Reasons Other than Exemptions													
	No records	Records referred at initial request level	Request withdrawn	Fee-related reason	Records not reasonably described	Improper request for other reasons	Not agency record	Duplicate request or appeal	Request in litigation	Appeal based solely on denial for expedited processing	Other		
HQ	5	1	24	16	10	6	0	14	4	4	30		
TOTAL	5	1	24	16	10	6	0	14	4	4	30		

C.(3) Reasons for Denial on Appeal Other Reasons		
	Description of Other Reasons for Denials from Chart C.(2) & Number of Times Those Reasons Were Relied Upon	TOTAL
HQ	Appeal Withdrawn 8 Moot 19 Unable to Locate or Contact Requester 2 Untimely 1	30
TOTAL		30

C.(4) Response Time for Administrative Appeals				
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	40	228.24	< 1	1802
TOTAL	40	228.24	< 1	1802

C.(5) Ten Oldest Pending Administrative Appeals										
	10th Oldest Appeal and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal and Number of Days Pending
HQ	2012-11-28 1214	2012-11-21 1218	2012-09-26 1256	2012-09-14 1264	2012-08-14 1286	2012-07-30 1297	2012-07-12 1309	2012-04-10 1374	2012-02-22 1408	2010-04-07 1878
TOTAL	2012-11-28 1214	2012-11-21 1218	2012-09-26 1256	2012-09-14 1264	2012-08-14 1286	2012-07-30 1297	2012-07-12 1309	2012-04-10 1374	2012-02-22 1408	2010-04-07 1878

VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS

A. Processed Requests -- Response Time for All Processed Perfected Requests												
	SIMPLE				COMPLEX				EXPEDITED			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	17	29.86	< 1	406	95	248.44	< 1	2217	20.5	58.08	< 1	801
R1	11	12.12	< 1	69	40.5	60.89	19	144	-	-	-	-
R10	14	13.78	< 1	123	60.5	113.1	7	813	25	76.33	4	200
R2	4	10.29	< 1	510	397.5	325.05	7	775	6	6	6	6
R3	18	20.18	< 1	272	62	187.51	< 1	886	4	4	4	4
R4	21	25.15	< 1	285	57	130.86	< 1	384	1	49.33	< 1	146
R5	16	16.64	< 1	40	54	73.76	< 1	341	22	23.75	14	37
R6	17	17.89	< 1	178	25	46.6	< 1	614	38	80	30	172
R7	13	16.48	< 1	251	98	111.27	16	223	10	10	9	11
R8	10	10.79	< 1	31	20.5	57.04	< 1	391	390.5	315.1	20	393
R9	16	15.48	< 1	40	59.5	108.93	3	596	6	6	6	6
TOTAL	14	18.15	< 1	510	57	173.35	< 1	2217	22	86.97	< 1	801

B. Processed Requests Response Time for Perfected Requests in Which Information Was Granted												
	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	18	30.98	< 1	406	76.50	211.47	< 1	2217	20	53.61	< 1	801
R1	13	13.14	< 1	52	35	59.57	21	131	-	-	-	-
R10	17	17.30	< 1	36	65	109	11	462	25	25	25	25
R2	4	8.61	< 1	510	266	283	20	775	-	-	-	-
R3	16	20.21	< 1	272	62	220.12	41	886	-	-	-	-
R4	23	27.04	< 1	272	57	120.58	< 1	384	73.50	73.50	< 1	146
R5	19	19.73	2	40	59.50	81.18	30	341	25.50	25.50	14	37
R6	16	17.59	< 1	178	33	62.77	< 1	614	38	80	30	172
R7	12	17.47	< 1	251	83	108.11	16	223	10	10	9	11
R8	11	11.96	< 1	31	26	75.50	4	391	390.50	315.10	20	393
R9	18	18.10	1	40	75	115.51	3	596	-	-	-	-
TOTAL	11	18.13	< 1	510	60	160.55	< 1	2217	26	99.36	< 1	801

C. Processed Requests Response Time in Day Increments														
Simple Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
HQ	911	320	52	40	22	26	12	12	7	6	24	8	1	1441
R1	231	33	2	1	0	0	0	0	0	0	0	0	0	267
R10	195	40	1	0	0	0	1	0	0	0	0	0	0	237
R2	1697	122	3	7	3	7	2	1	4	0	6	6	1	1859
R3	358	230	20	9	3	6	0	1	1	1	2	0	0	631
R4	314	303	51	22	2	2	3	1	0	0	3	0	0	701
R5	1137	335	0	0	0	0	0	0	0	0	0	0	0	1472
R6	122	83	2	1	0	0	0	0	1	0	0	0	0	209
R7	281	105	12	3	5	1	1	0	0	0	1	0	0	409
R8	125	10	0	0	0	0	0	0	0	0	0	0	0	135
R9	515	166	0	0	0	0	0	0	0	0	0	0	0	681
TOTAL	5886	1747	143	83	35	42	19	15	13	7	36	14	2	8042

Complex Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
HQ	141	62	79	53	35	32	22	17	10	8	65	32	161	717
R1	1	8	2	2	0	2	2	1	0	0	0	0	0	18
R10	16	33	10	12	10	4	7	0	5	0	11	4	6	118
R2	2	5	34	9	10	6	2	0	0	2	10	22	102	204
R3	2	0	16	4	4	1	0	1	1	0	2	0	6	37
R4	2	2	4	0	2	0	0	0	0	0	1	3	0	14
R5	7	5	39	13	11	3	1	1	3	2	3	1	0	89
R6	136	159	44	17	5	15	7	2	1	5	8	2	5	406
R7	2	1	0	1	2	0	0	1	2	1	1	0	0	11
R8	51	22	4	8	2	0	0	2	2	2	6	3	0	102
R9	2	5	14	4	5	2	2	0	0	1	5	0	2	42
TOTAL	362	302	246	123	86	65	43	25	24	21	112	67	282	1758

Expedited Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
HQ	24	13	4	2	2	0	0	0	1	0	0	0	2	48
R10	1	1	0	0	0	0	0	0	0	1	0	0	0	3
R2	1	0	0	0	0	0	0	0	0	0	0	0	0	1
R3	1	0	0	0	0	0	0	0	0	0	0	0	0	1
R4	2	0	0	0	0	0	0	1	0	0	0	0	0	3
R5	2	2	0	0	0	0	0	0	0	0	0	0	0	4
R6	0	2	0	0	0	0	0	0	1	0	0	0	0	3
R7	3	0	0	0	0	0	0	0	0	0	0	0	0	3
R8	1	0	1	0	0	0	0	0	0	0	0	8	0	10
R9	1	0	0	0	0	0	0	0	0	0	0	0	0	1
TOTAL	36	18	5	2	2	0	0	1	2	1	0	8	2	77

D. Pending Requests All Pending Perfected Requests									
	SIMPLE			COMPLEX			EXPEDITED		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
HQ	1039	37	101.74	647	175	329.87	118	53.50	123.85
R1	13	6	10	3	41	485	0	-	-
R10	6	8	17.83	51	50	134.31	0	-	-
R2	186	22.50	83.96	27	74	226.81	4	443.50	428.75
R3	99	12	44.81	14	819	759	8	905.50	886.25
R4	63	16	21.29	12	52	76.42	0	-	-
R5	173	13	36.64	18	83.50	138.44	11	399	321.64
R6	6	11.50	51	72	16	57.03	1	25	25
R7	23	13	85.52	9	138	181.56	0	-	-
R8	4	8	7	15	9	66.60	1	533	533
R9	41	11	17.71	13	71	202	0	-	-
TOTAL	1653	36	82.70	881	139	285.19	143	82	192.41

E. Pending Requests Ten Oldest Pending Perfected Requests										
	10th Oldest Request and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request and Number of Days Pending
HQ	2012-04-24 1364	2012-03-28 1383	2012-02-21 1409	2012-02-21 1409	2011-09-08 1520	2011-09-06 1522	2011-08-23 1531	2011-08-23 1531	2011-08-12 284	2010-11-16 1724
R1	2017-09-14 9	2017-09-14 6	2017-09-14 11	2017-09-07 16	2017-08-29 22	2017-08-29 22	2017-08-24 25	2017-08-03 26	2016-07-26 41	2012-03-21 1388
R10	2016-08-15 274	2016-08-15 283	2016-07-07 290	2016-04-25 232	2016-04-19 252	2015-10-28 483	2015-03-06 647	2015-02-17 556	2014-09-23 743	2013-07-30 665
R2	2015-09-16 409	2015-09-08 517	2015-09-08 516	2015-07-02 564	2015-06-10 562	2015-04-30 608	2015-03-18 19	2015-03-10 645	2014-07-16 805	2013-11-27 945
R3	2014-02-27 902	2014-02-25 904	2014-02-20 907	2014-01-29 922	2014-01-24 925	2014-01-16 930	2014-01-14 932	2014-01-14 932	2013-05-06 1105	2013-02-22 1156
R4	2017-07-18 20	2017-07-17 53	2017-07-06 48	2017-06-12 77	2017-05-10 99	2017-05-02 80	2017-04-25 110	2017-03-14 58	2016-06-30 294	2016-04-28 358
R5	2016-02-08 415	2016-02-08 415	2016-02-08 415	2016-02-02 419	2016-01-28 422	2016-01-27 420	2016-01-25 400	2016-01-20 428	2016-01-20 428	2014-02-13 838
R6	2016-10-18 223	2016-10-12 228	2016-09-30 250	2016-08-31 216	2016-07-11 262	2016-07-11 269	2016-06-14 314	2016-06-09 322	2016-04-20 362	2016-01-08 435
R7	2017-03-13 141	2017-02-07 164	2016-12-28 191	2016-10-12 138	2016-09-19 259	2016-06-21 321	2016-04-21 363	2016-03-09 394	2016-03-03 383	2014-01-02 940
R8	2017-09-18 9	2017-09-18 4	2017-09-18 9	2017-08-21 28	2017-08-10 25	2017-03-13 141	2017-03-13 141	2017-01-19 143	2015-11-05 457	2015-08-17 533
R9	2017-06-28 65	2017-06-26 67	2017-06-19 71	2017-04-10 95	2016-11-08 224	2016-10-25 234	2016-08-19 279	2016-06-14 230	2016-03-11 392	2011-10-04 1089
TOTAL	2012-03-21 1388	2012-02-21 1409	2012-02-21 1409	2011-10-04 1089	2011-09-08 1520	2011-09-06 1522	2011-08-23 1531	2011-08-23 1531	2011-08-12 284	2010-11-16 1724

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing					
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
HQ	153	216	1	7.46	294
R1	0	1	2	2	1
R10	2	17	4	8.11	14
R2	2	25	1	5.04	24
R3	1	8	2	4.67	7
R4	2	16	7	8.83	14
R5	5	15	6.50	9	15
R6	3	17	4	8.25	14
R7	3	2	6	6	5
R8	2	4	1	2.83	5
R9	1	26	2	3.48	26
TOTAL	174	347	1	7.16	419

B. Requests for Fee Waiver				
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
HQ	485	228	7	11.34
R1	2	9	5	5.91
R10	22	26	9	9.23
R2	3	14	4	6.29
R3	2	4	4.50	7.67
R4	23	17	5	6.48
R5	38	68	6	7.42
R6	3	15	2.50	5.33
R7	7	16	4	5.26
R8	7	27	3	4.41
R9	8	23	5	4.77
TOTAL	600	447	6	9.85

IX. FOIA PERSONNEL AND COSTS

	PERSONNEL			COSTS		
	Number of Full-Time FOIA Employees	Number of Equivalent Full-Time FOIA Employees	Total Number of Full-Time FOIA Staff	Processing Costs	Litigation-Related Costs	Total Costs
HQ	31	3.91	34.91	\$5,048,041.86	\$931,689.28	\$5,979,731.14
R1	0	0.2	0.2	\$28,920.32	\$0.00	\$28,920.32
R10	5	1.17	6.17	\$892,191.87	\$0.00	\$892,191.87
R2	2	0.19	2.19	\$316,677.50	\$0.00	\$316,677.50
R3	4	0.32	4.32	\$624,678.91	\$0.00	\$624,678.91
R4	11	0	11	\$1,590,617.60	\$0.00	\$1,590,617.60
R5	20	0.62	20.62	\$2,981,664.37	\$0.00	\$2,981,664.37
R6	3	0.68	3.68	\$532,133.89	\$0.00	\$532,133.89
R7	26	0.12	26.12	\$3,776,993.79	\$0.00	\$3,776,993.79
R8	2	2.96	4.96	\$717,223.94	\$0.00	\$717,223.94
R9	2	0.76	2.76	\$399,100.42	\$0.00	\$399,100.42
TOTAL	105	10.93	116.93	\$16,908,244.47	\$931,689.28	\$17,839,933.75

X. FEES COLLECTED FOR PROCESSING REQUESTS

	Total Amount of Fees Collected	Percentage of Total Costs
HQ	\$44,322.96	0.010
R1	\$9,817.37	0.340
R10	\$12,924.10	0.000
R2	\$4,990.15	0.020
R3	\$25,934.74	0.040
R4	\$4,175.22	0.000
R5	\$29,614.33	0.010
R6	\$17,946.65	0.030
R7	\$6,185.97	0.000
R8	\$7,374.38	0.010
R9	\$32,925.39	0.080
TOTAL	\$196,211.26	0.010

XI.A. NUMBER OF TIMES SUBSECTION USED

Agency / Component	Number of Times Subsection Used
HQ	0
R1	0
R10	0
R2	0
R3	0
R4	0
R5	0
R6	0
R7	0
R8	0
R9	0
AGENCY OVERALL	0

XI.B. NUMBER OF SUBSECTION POSTINGS

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
HQ	0	1,021
R1	0	0
R10	0	0
R2	0	0
R3	0	0
R4	0	0
R5	0	0
R6	0	0
R7	0	0
R8	0	0
R9	0	0
AGENCY OVERALL	0	1,021

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals		
	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
HQ	1529	125
R1	3	0
R10	30	0
R2	121	0
R3	49	0
R4	29	0
R5	71	0
R6	22	0
R7	14	0
R8	6	0
R9	17	0
TOTAL	1891	125

B. Consultations on FOIA Requests Received, Processed, and Pending Consultations				
	Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Pending as of End of the Fiscal Year
HQ	2	12	11	3
R10	0	3	3	0
R5	0	4	4	0
R8	1	0	1	0
TOTAL	3	19	19	3

C. Consultations on FOIA Requests Ten Oldest Consultations Received from Other Agencies and Pending										
	10th Oldest Consultation and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation and Number of Days Pending
HQ								2017-09-15 10	2017-09-12 13	2017-09-11 14
TOTAL								2017-09-15 10	2017-09-12 13	2017-09-11 14

D. Comparison of Numbers of Requests from Previous and Current Annual Report Requests Received, Processed, and Backlogged				
	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Year's Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
HQ	2160	3619	2103	2822
R1	304	281	307	285
R10	396	344	398	369
R2	2091	2132	2193	2135
R3	808	692	861	691
R4	791	737	847	734
R5	1691	1711	1687	1639
R6	728	615	677	677
R7	451	426	438	437
R8	300	241	302	274
R9	683	720	685	739
TOTAL	10403	11518	10498	10802

	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
HQ	808	1529
R1	7	3
R10	48	30
R2	208	121
R3	59	49
R4	24	29
R5	34	71
R6	41	22
R7	17	14
R8	29	6
R9	9	17
TOTAL	1284	1891

E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report Appeals Received, Processed, and Backlogged				
	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
HQ	193	224	250	204
TOTAL	193	224	250	204

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
HQ	113	125
TOTAL	113	125

EPA FOIA ANNUAL REPORT

FOR
10/01/2017
THROUGH
09/30/2018

The following **Annual Freedom of Information Act** report covers the
Period 10/01/2017, through 09/30/2018, as required by 5 U.S.C. 552.

I. BASIC INFORMATION REGARDING REPORT

1. Name, Title, Address, and Telephone Number

Larry Gottesman

National FOIA Officer

Headquarters

Environmental Protection Agency

1200 Pennsylvania Ave, NW

Washington, DC 20460

2025662162

2. Electronic address for Report on the agency web site.

<http://www.epa.gov/foia/annual.html>

3. How to obtain a copy of the report in paper form.

National FOIA Officer, National FOIA Office, Office of General Counsel, U.S. Environmental Protection Agency,
1200 Pennsylvania Ave, NW, Mail Code 2310 A, Washington, DC 20460, (202) 566-1667

II. MAKING A FOIA REQUEST

1. 1. Submit a FOIA request directly to EPA though FOIAonline at:

<https://www.foiaonline.gov/foiaonline/action/public/home> 2. Send a FOIA request to Headquarters or a regional
office through regular mail or via courier services. Both addresses are available at:

<https://www.epa.gov/foia/forms/contact-us-about-freedom-information-act-and-foia-requests> 3. For information
regarding a specific property you may obtain that information immediately, without filing a FOIA request, by using
MyProperty. The address is: www.epa.gov/myproperty.

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Acronyms used :

Acronym	Definition
HQ EPA	Headquarters
Region 1	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Region 10	Alaska, Idaho, Oregon, Washington
Region 2	New Jersey, New York, Puerto Rico, U.S. Virgin Islands and 7 Tribal Nations
Region 3	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
Region 4	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina
Region 5	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Region 6	Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Region 7	Iowa, Kansas, Missouri, Nebraska
Region 8	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Region 9	Arizona, California, Hawaii, Nevada, American Samoa, Guam

2. Definition of terms used in this report :

- a. **Administrative Appeal** - a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** - the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** - for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** - the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** - a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** - a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** - an agency decision to disclose all records in full in response to a FOIA request
- i. **Full Denial** - an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** - the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
- l. **Expedited Processing** - an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
- m. **Simple Request** - a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.

- n. **Complex Request** - a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
 - o. **Partial Grant/Partial Denial** - in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
 - p. **Pending Request or Pending Administrative Appeal** - a request or administrative appeal for which an agency has not taken final action in all respects.
 - q. **Perfected Request** - a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
 - r. **Processed Request or Processed Administrative Appeal** - a request or administrative appeal for which an agency has taken final action in all respects.
 - s. **Range in Number of Days** - the lowest and highest number of days to process requests or administrative appeals.
 - t. **Time Limits** - the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).
3. Concise descriptions of the nine FOIA exemptions :
- a. **Exemption 1** - classified national defense and foreign relations information
 - b. **Exemption 2** - internal agency rules and practices
 - c. **Exemption 3** - information that is prohibited from disclosure by another federal law
 - d. **Exemption 4** - trade secrets and other confidential business information
 - e. **Exemption 5** - inter-agency or intra-agency communications that are protected by legal privileges
 - f. **Exemption 6** - information involving matters of personal privacy
 - g. **Exemption 7** - records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
 - h. **Exemption 8** - information relating to the supervision of financial institutions
 - i. **Exemption 9** - geological information on wells

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied Upon per Component	Total Number of Times Relied Upon by Agency
41 U.S.C. § 253b(m)(1) (currently at 41 U.S.C. § 4702)	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts.	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin V. NASA, No 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D. C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D. C. Cir. Aug. 25, 2004)	Region 7 : 1	1
7 U.S.C. § 136i-1 (Federal Insecticide, Fungicide, and Rodenticide Act)	Data "that would directly or indirectly reveal the identity of individual producers [of certain pesticides]"	Doe v. Veneman, 380 F. 3d 807, 818 (5th Cir. 2004).	Headquarters : 12	12

V. FOIA REQUESTS

A. Received, Processed and Pending FOIA Requests				
	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
Headquarters	1847	3565	2640	2772
Region 10	60	323	317	66
Region 1	23	371	375	19
Region 2	245	2051	2107	189
Region 3	133	699	709	123
Region 4	85	830	815	100
Region 5	212	1581	1529	264
Region 6	87	613	626	74
Region 7	34	451	451	34
Region 8	20	219	227	12
Region 9	62	661	646	77
TOTAL	2808	11364	10442	3730

* In the FY2017 Annual Report, the agency reported that the overall number of requests pending at the end of FY2017 was 2795. EPA has accounted for the 13 additional cases reported in FY2018 and the correct number is 2795.

B.(1) Disposition of FOIA Requests -- All Processed Requests													
				Number of Full Denials Based on Reasons Other than Exemptions									
	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	No Records	All Records Referred to Another Agency	Request Withdrawn	Fee-Related Reason	Records Not Reasonably Described	Improper FOIA Request for Other Reasons	Not an Agency Record	Duplicate Request	Other	TOTAL
Headquarters	1176	545	43	268	4	282	8	74	25	17	178	20	2640
Region 10	65	67	2	73	1	55	13	12	11	1	17	0	317
Region 1	120	26	0	174	0	26	0	4	5	1	19	0	375
Region 2	1794	27	1	153	1	51	11	28	8	0	33	0	2107
Region 3	192	74	2	315	3	88	1	5	2	3	24	0	709
Region 4	242	79	2	409	1	44	0	3	1	3	31	0	815
Region 5	445	42	2	752	4	162	34	7	3	0	78	0	1529
Region 6	239	42	1	154	0	161	2	8	1	0	18	0	626
Region 7	258	23	1	106	0	42	0	0	0	0	21	0	451
Region 8	85	27	1	56	1	41	0	0	1	1	14	0	227
Region 9	162	70	3	323	0	31	9	6	1	2	39	0	646
TOTAL	4778	1022	58	2783	15	983	78	147	58	28	472	20	10442

B.(2) Disposition of FOIA Requests -- Other Reasons for Full Denials Based on Reasons Other than Exemptions		
	Description of Other Reasons for Denials from Chart B.(1) & Number of Times Those Reasons Were Relied Upon	TOTAL
Headquarters	Litigation 20	20
TOTAL		20

B.(3) Disposition of FOIA Requests -- Number of Times Exemptions Applied														
	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
Headquarters	1	0	12	104	193	311	71	0	131	4	29	17	0	0
Region 10	0	0	0	25	13	63	0	0	2	1	2	0	0	0
Region 1	0	0	0	2	7	12	1	0	2	0	2	1	0	3
Region 2	0	0	0	0	7	9	1	0	0	0	0	0	0	0
Region 3	0	0	0	28	16	39	4	0	3	0	0	1	0	13
Region 4	0	0	0	14	21	67	8	0	3	0	0	0	0	1
Region 5	0	0	0	6	10	26	6	0	1	0	0	0	0	1
Region 6	0	0	0	9	6	10	1	0	0	0	0	0	0	3
Region 7	0	0	1	2	2	5	2	0	1	0	0	0	0	0
Region 8	0	0	0	6	15	21	5	0	1	0	1	0	0	2
Region 9	0	0	0	18	21	42	13	0	1	0	2	0	0	11
TOTAL	1	0	13	214	311	605	112	0	145	5	36	19	0	34

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed and Pending FOIA Appeals				
	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
Headquarters	144	183	187	140
TOTAL	144	183	187	140

* In the FY2017 Annual Report, the agency reported overall number of requests pending at the end of FY2017 was 143. The correct number is 144.

B. Disposition of Administrative Appeals All Processed Appeals					
	Number of Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number of Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
Headquarters	33	19	41	94	187
TOTAL	33	19	41	94	187

C.(1) Reasons for Denial on Appeal Number of Times Exemptions Applied														
	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9

C.(2) Reasons for Denial on Appeal Reasons Other than Exemptions											
	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee- Related Reason	Records Not Reasonably Descr bed	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial for Expedited Processing	Other
Headquarters	5	0	24	12	3	0	0	15	11	5	37
TOTAL	5	0	24	12	3	0	0	15	11	5	37

C.(3) Reasons for Denial on Appeal Other Reasons		
	Description of Other Reasons for Denials from Chart C.(2) & Number of Times Those Reasons Were Relied Upon	TOTAL
Headquarters	Moot 33 Appeal Withdrawn 3 Untimely 1	37
TOTAL		37

C.(4) Response Time for Administrative Appeals				
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
Headquarters	73.0	209.89	5.0	1534.0
TOTAL	73.0	209.89	5.0	1534.0

C.(5) Ten Oldest Pending Administrative Appeals										
	10th Oldest Appeal and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal and Number of Days Pending
Headquarters	2014-04-16 1118	2014-04-15 1119	2014-02-21 1156	2013-11-20 1218	2013-09-27 1254	2013-08-26 1277	2013-05-30 1338	2013-05-17 1346	2012-11-21 1468	2010-04-07 2128
TOTAL	2014-04-16 1118	2014-04-15 1119	2014-02-21 1156	2013-11-20 1218	2013-09-27 1254	2013-08-26 1277	2013-05-30 1338	2013-05-17 1346	2012-11-21 1468	2010-04-07 2128

VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS

A. Processed Requests -- Response Time for All Processed Perfected Requests												
	SIMPLE				COMPLEX				EXPEDITED			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
Headquarters	23.0	76.33	< 1	749.0	113.0	281.84	< 1	1793.0	361.0	367.24	18.0	546.0
Region 10	13.0	15.4	< 1	139.0	34.0	91.26	< 1	768.0	-	-	-	-
Region 1	6.0	11.56	< 1	185.0	77.0	196.82	21.0	1403.0	-	-	-	-
Region 2	10.0	26.47	< 1	632.0	95.0	185.09	11.0	964.0	64.0	206.22	5.0	645.0
Region 3	27.0	37.0	< 1	559.0	488.0	500.9	31.0	1189.0	-	-	-	-
Region 4	15.0	18.39	< 1	349.0	17.0	35.47	< 1	419.0	1.0	1.0	1.0	1.0
Region 5	19.0	27.69	< 1	528.0	35.0	88.91	< 1	863.0	453.0	393.45	59.0	535.0
Region 6	14.5	15.91	< 1	93.0	22.0	42.21	< 1	512.0	34.0	34.0	34.0	34.0
Region 7	9.0	18.07	< 1	961.0	16.5	55.02	2.0	495.0	-	-	-	-
Region 8	9.0	11.13	< 1	99.0	18.5	31.57	< 1	230.0	558.0	558.0	558.0	558.0
Region 9	14.5	17.92	< 1	290.0	71.0	110.97	10.0	468.0	-	-	-	-
TOTAL	16.0	35.74	< 1	961.0	35.0	148.65	< 1	1793.0	361.0	337.43	1.0	645.0

B. Processed Requests Response Time for Perfected Requests in Which Information Was Granted												
	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
Headquarters	23.0	76.51	< 1	749.0	124.5	273.02	1.0	1793.0	443.5	392.11	18.0	546.0
Region 10	17.0	17.25	2.0	70.0	58.5	106.47	8.0	768.0	-	-	-	-
Region 1	17.0	18.61	< 1	95.0	77.0	217.11	21.0	1403.0	-	-	-	-
Region 2	10.0	24.62	< 1	632.0	95.0	195.17	11.0	964.0	134.0	258.29	53.0	645.0
Region 3	29.5	49.68	< 1	559.0	488.0	491.0	64.0	1189.0	-	-	-	-
Region 4	17.0	19.63	< 1	111.0	21.0	44.88	< 1	419.0	-	-	-	-
Region 5	21.0	35.67	3.0	528.0	103.0	142.8	13.0	863.0	361.0	374.29	59.0	535.0
Region 6	17.5	21.36	2.0	93.0	36.0	59.51	1.0	512.0	-	-	-	-
Region 7	7.0	21.04	< 1	961.0	19.5	86.61	3.0	495.0	-	-	-	-
Region 8	11.0	13.39	< 1	99.0	26.5	43.32	2.0	230.0	558.0	558.0	558.0	558.0
Region 9	19.0	24.23	< 1	290.0	70.0	110.84	10.0	468.0	-	-	-	-
TOTAL	16.0	40.05	< 1	961.0	58.0	163.0	< 1	1793.0	378.0	371.28	18.0	645.0

C. Processed Requests Response Time in Day Increments														
Simple Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Headquarters	842	243	140	86	75	52	57	45	22	38	77	40	76	1793
Region 10	133	30	3	1	0	0	2	0	0	0	0	0	0	169
Region 1	289	51	11	0	1	0	0	0	0	1	0	0	0	353
Region 2	1609	142	48	33	20	14	6	12	16	5	37	11	13	1966
Region 3	194	313	91	29	8	3	1	0	0	2	8	6	2	657
Region 4	444	159	24	1	2	1	0	0	0	0	1	1	0	633
Region 5	776	357	67	29	21	12	6	8	4	3	4	1	5	1293
Region 6	61	10	1	1	1	0	0	0	0	0	0	0	0	74
Region 7	330	48	8	4	0	1	0	0	0	3	4	0	1	399
Region 8	124	5	0	0	1	0	0	0	0	0	0	0	0	130
Region 9	443	112	10	4	5	1	2	1	1	0	1	0	0	580
TOTAL	5245	1470	403	188	134	84	74	66	43	52	132	59	97	8047

Complex Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Headquarters	127	83	35	38	24	21	19	15	10	5	57	38	166	638
Region 10	32	26	11	6	6	6	2	3	4	1	3	4	5	109
Region 1	0	3	2	1	0	3	0	0	1	0	0	0	1	11
Region 2	3	10	4	1	7	5	3	0	1	0	2	2	8	46
Region 3	0	1	0	3	0	0	0	0	0	0	0	1	5	10
Region 4	92	24	18	7	3	5	2	1	1	1	2	0	1	157
Region 5	13	25	4	3	3	3	3	1	1	1	5	3	1	66
Region 6	193	134	45	24	10	14	13	5	1	1	5	5	2	452
Region 7	35	5	5	2	0	0	1	0	0	0	0	1	3	52
Region 8	42	15	5	5	1	1	0	1	0	1	1	0	0	72
Region 9	1	6	9	3	2	3	4	0	0	0	5	1	1	35
TOTAL	538	332	138	93	56	61	47	26	19	10	80	55	193	1648

Expedited Requests														
	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Headquarters	1	0	1	1	0	0	0	0	1	1	8	5	15	33
Region 2	1	0	3	1	0	0	1	0	0	0	0	1	2	9
Region 4	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Region 5	0	0	1	0	0	0	0	0	0	0	0	4	6	11
Region 6	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Region 8	0	0	0	0	0	0	0	0	0	0	0	0	1	1
TOTAL	3	1	5	2	0	0	1	0	1	1	8	10	24	56

D. Pending Requests All Pending Perfected Requests									
	SIMPLE			COMPLEX			EXPEDITED		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
Headquarters	1744	146.0	172.25	750	249.0	303.13	86	289.0	318.03
Region 10	15	17.0	27.87	47	121.0	183.32	0	-	-
Region 1	11	14.0	17.64	8	43.0	69.88	0	-	-
Region 2	144	56.0	100.55	22	212.5	224.27	0	-	-
Region 3	87	25.0	31.85	17	197.0	457.88	8	1155.5	1136.25
Region 4	51	11.0	17.29	29	27.0	51.41	0	-	-
Region 5	105	26.0	70.08	97	19.0	43.66	0	-	-
Region 6	5	9.0	8.4	58	22.0	66.22	0	-	-
Region 7	21	10.0	10.14	8	8.0	87.63	0	-	-
Region 8	2	65.0	65.0	10	5.5	76.7	0	-	-
Region 9	48	9.0	16.21	15	33.0	128.4	0	-	-
TOTAL	2233	115.0	146.74	1061	194.0	247.13	94	299.0	387.67

E. Pending Requests Ten Oldest Pending Perfected Requests										
	10th Oldest Request and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request and Number of Days Pending
Headquarters	2013-05-16 1346	2013-05-03 1355	2012-12-28 1429	2012-11-02 1479	2012-09-10 1511	2012-06-11 1575	2012-04-13 1591	2012-03-22 1633	2012-02-21 1659	2011-08-22 1781
Region 10	2017-06-19 298	2017-05-30 293	2017-03-14 386	2017-03-06 389	2017-01-27 359	2016-08-16 512	2016-04-25 482	2016-04-19 502	2015-02-17 806	2014-09-23 993
Region 1	2018-08-09 33	2018-08-09 33	2018-08-09 16	2018-08-09 33	2018-08-01 40	2018-07-24 37	2018-06-22 60	2018-05-24 53	2017-09-21 59	2017-08-03 272
Region 2	2017-03-16 389	2017-03-15 257	2017-02-17 398	2017-02-06 409	2017-02-02 409	2016-12-21 445	2016-11-15 470	2016-02-10 663	2015-09-15 659	2014-05-23 1055
Region 3	2014-04-29 1107	2014-04-25 1110	2014-02-21 1152	2014-02-21 1154	2014-02-14 1157	2014-01-24 1172	2014-01-21 1175	2014-01-13 1182	2014-01-10 1180	2014-01-10 1182
Region 4	2018-07-11 54	2018-06-27 64	2018-06-22 53	2018-05-23 65	2018-03-13 139	2018-02-26 150	2018-01-26 145	2017-12-07 146	2017-06-09 327	2017-04-25 244
Region 5	2017-07-14 282	2017-06-28 305	2017-06-02 330	2017-05-24 339	2017-05-08 351	2017-05-03 354	2017-04-20 227	2017-04-05 356	2017-02-09 379	2016-11-08 422
Region 6	2018-01-26 170	2018-01-23 157	2017-10-31 229	2017-10-13 209	2017-10-06 244	2017-10-05 244	2017-09-21 240	2017-09-13 261	2017-08-31 269	2017-07-25 297
Region 7	2018-09-14 10	2018-09-14 10	2018-09-11 13	2018-09-11 13	2018-09-07 14	2018-09-04 18	2018-08-15 31	2018-07-30 43	2018-05-25 17	2016-03-01 633
Region 8	2018-09-24 3	2018-09-24 3	2018-09-21 2	2018-09-20 5	2018-09-19 6	2018-09-18 6	2018-09-14 9	2018-07-10 28	2018-03-26 128	2015-10-30 707
Region 9	2018-06-21 64	2018-06-19 68	2018-06-13 73	2018-05-15 94	2018-05-04 95	2018-03-22 8	2018-02-20 152	2017-09-25 250	2017-09-18 97	2011-10-04 1089
TOTAL	2013-05-03 1355	2012-12-28 1429	2012-11-02 1479	2012-09-10 1511	2012-06-11 1575	2012-04-13 1591	2012-03-22 1633	2012-02-21 1659	2011-10-04 1089	2011-08-22 1781

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing					
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
Headquarters	1	386	12.0	19.08	181
Region 10	0	28	9.5	13.57	14
Region 1	0	9	2.0	3.33	9
Region 2	6	33	14.0	27.15	14
Region 3	0	25	9.0	15.48	14
Region 4	1	32	7.0	9.76	23
Region 5	1	46	20.0	19.4	13
Region 6	1	44	14.0	26.11	17
Region 7	0	8	4.5	6.25	7
Region 8	0	17	3.0	5.71	15
Region 9	0	30	8.0	14.33	16
TOTAL	10	658	11.0	18.3	323

B. Requests for Fee Waiver				
	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
Headquarters	250	172	6.0	8.62
Region 10	17	15	6.5	7.09
Region 1	1	7	3.0	4.75
Region 2	4	14	5.0	5.22
Region 3	8	15	9.0	16.35
Region 4	24	41	5.0	6.23
Region 5	8	74	8.5	10.51
Region 6	27	32	3.0	4.49
Region 7	8	16	4.0	6.21
Region 8	5	10	2.0	2.87
Region 9	29	29	5.0	7.07
TOTAL	381	425	6.0	8.07

IX. FOIA PERSONNEL AND COSTS

	PERSONNEL			COSTS		
	Number of Full-Time FOIA Employees	Number of Equivalent Full-Time FOIA Employees	Total Number of Full-Time FOIA Staff	Processing Costs	Litigation-Related Costs	Total Costs
Headquarters	46	30.46	76.46	\$12,076,457.43	\$1,848,579.21	\$13,925,036.64
Region 10	7	23.74	30.74	\$4,857,128.11	\$0.00	\$4,857,128.11
Region 1	7	1.44	8.44	\$1,333,577.14	\$0.00	\$1,333,577.14
Region 2	2	1.6	3.6	\$567,244.30	\$0.00	\$567,244.30
Region 3	5	3.8	8.8	\$1,390,459.58	\$0.00	\$1,390,459.58
Region 4	12	1.72	13.72	\$2,167,852.88	\$0.00	\$2,167,852.88
Region 5	19	3.0	22.0	\$3,474,568.87	\$0.00	\$3,474,568.87
Region 6	3	24.16	27.16	\$4,247,221.98	\$0.00	\$4,247,221.98
Region 7	2	0.76	2.76	\$436,098.69	\$0.00	\$436,098.69
Region 8	2	4.37	6.37	\$1,068,523.06	\$0.00	\$1,068,523.06
Region 9	2	10.94	12.94	\$2,044,607.60	\$0.00	\$2,044,607.60
TOTAL	107	105.99	212.99	\$33,663,739.64	\$1,848,579.21	\$35,512,318.85

X. FEES COLLECTED FOR PROCESSING REQUESTS

	Total Amount of Fees Collected	Percentage of Total Costs
Headquarters	\$37,446.87	0.00
Region 10	\$8,026.43	0.00
Region 1	\$9,339.11	0.01
Region 2	\$14,499.06	0.03
Region 3	\$10,471.09	0.01
Region 4	\$6,325.71	0.00
Region 5	\$15,217.90	0.00
Region 6	\$24,343.06	0.01
Region 7	\$7,309.14	0.02
Region 8	\$15,270.38	0.01
Region 9	\$8,026.43	0.00
TOTAL	\$156,275.18	0.46

XI. FOIA REGULATIONS

A. Number of Times Subsection (c) Used	
	Number of Times Subsection (c) Used

B. Number of Subsection (a)(2) Postings		
	Number of Items Posted by FOIA Office	Number of Items Posted by Program
Headquarters	113	0
TOTAL	113	0

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals		
	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
Headquarters	2360	132
Region 10	37	0
Region 1	10	0
Region 2	128	0
Region 3	76	0
Region 4	22	0
Region 5	80	0
Region 6	24	0
Region 7	3	0
Region 8	2	0
Region 9	19	0
TOTAL	2761	132

B. Consultations on FOIA Requests Received, Processed, and Pending Consultations				
	Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Pending as of End of the Fiscal Year
Headquarters	3	29	26	6
Region 10	0	1	1	0
Region 5	0	1	1	0
Region 6	0	2	1	1
Region 9	0	2	2	0
TOTAL	3	35	31	7

C. Consultations on FOIA Requests Ten Oldest Consultations Received from Other Agencies and Pending										
	10th Oldest Consultation and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation and Number of Days Pending
Headquarters					2018-09-24 4	2018-09-19 7	2018-09-17 9	2018-06-13 75	2017-09-12 263	2017-09-11 264
Region 6										2018-09-12 12
TOTAL				2018-09-24 4	2018-09-19 7	2018-09-17 9	2018-09-12 12	2018-06-13 75	2017-09-12 263	2017-09-11 264

D. Comparison of Numbers of Requests from Previous and Current Annual Report Requests Received, Processed, and Backlogged				
	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Year's Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Headquarters	3619	3565	2822	2640
Region 10	344	323	369	317
Region 1	281	371	285	375
Region 2	2132	2051	2135	2107
Region 3	692	699	691	709
Region 4	737	830	734	815
Region 5	1711	1581	1639	1529
Region 6	615	613	677	626
Region 7	426	451	437	451
Region 8	241	219	274	227
Region 9	720	661	739	646
TOTAL	11518	11364	10802	10442

	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
Headquarters	1529	2360
Region 10	30	37
Region 1	3	10
Region 2	121	128
Region 3	49	76
Region 4	29	22
Region 5	71	80
Region 6	22	24
Region 7	14	3
Region 8	6	2
Region 9	17	19
TOTAL	1891	2761

E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report Appeals Received, Processed, and Backlogged				
	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Headquarters	224	183	204	187
TOTAL	224	183	204	187

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
Headquarters	125	132
TOTAL	125	132

4/14/17 OECA OD Meeting

Background:

Reform Plan to meet the combined mandates of a reduced Federal workforce, a reorganization of Executive Branch departments and agencies, the FY 2018 Budget Blueprint, and the FY 2019 budget and performance processes.

Reform Plan Framework components:

- eliminate activities,
- restructure or merge functions,
- improve organizational efficiency and effectiveness, and
- workforce management.

(b) (5)



	(b) (6)		(b) (5)	(b) (5)
<u>Division</u>		<u>Date</u>		
YGAA0000 ENF-2-1 Air Section		8/31/2017		
YGBC0000 ENF-3-3 SDW/FIFRA Section		8/31/2017		
YG0C0000 ENF4-2 Env. Review Section		8/31/2017		
OPA		Vacant		
ORA		Vacant		
YDBDD000 ORC-2-4 Water Section		8/31/2017		
YDACC000 ORC-3-3 Hazardous Waste Sect. III		8/31/2017		
YD000000 ORC-1 Immed Ofc.		8/31/2017		
YEAB0000 SFD-7-2 CA Sect 2		8/31/2017		
YEAB0000 SFD-7-2 CA Sect 2		8/31/2017		

	(b) (6)			(b) (5)
YECA0000 SFD-9-2 Emergency Response Sect.		9/1/2017		
YAB00000 WTR-3 Tribal & State Assist Br.		8/31/2017		
YAB00000 WTR-3 Tribal & State Assist Br.		8/17/2017		

OARM		OARM Office/Division
CINCINNATI, OHIO		
Total # All Series		
1654-Printing Services	OARM-Chancell	
318-Secretary	OARM-Chancell	
343-Management and Program Analysis	OARM-Chancell (Records Management)	
DURHAM, NORTH CAROLINA		
201-Human Resources Management	OARM-RTP	
801-General Engineering	OARM-RTP	
WASHINGTON, DC		
Total # All Series		
11001-General Arts and Information	OR/OM/O	
1102-Procurement Analyst	OAM	
1106-Procurement Clerical and Technician	OAM	
1109-Grants Management	OGD	
	OGD/Fellowships, JAGs and SEE's Branch	
	OGD/National Policy, Training and Compliance	
	OGD/Suspension and Delayment	
	OGD/Grants Management Branch	
2210-Information Technology Management		
	OAM	
	OHR	
301-Miscellaneous Administration and Program		
	OR/OM/AOSD	
	OR/OM/RAPD	
	OAM	
	OHR (Conflict and Info. Management Specialist)	
	OALJ	
303-Miscellaneous Clerk and Assistant	OHR	
	OGD	
306-Government Information Specialist	OAM	
318-Secretary	OAM	
326-Office Automation Clerical and Assistance	OAM	
	OHR	
341-Administrative Officer	OAM	
342-Support Services Administration	DA	
343-Management and Program Analysis		
	OR/OM/ACMD	
	OR/OM/RAPD	
	OR/OM/AOSD	
	OAM	
	OGD	
	OHR	
	OAA	
510-Accounting	OAM	
511-Auditing	OAM	
905-General Attorney	OR/OM/ACMD	
1801 - Compliance Specialist	OGD	
Grand Total		

OARM	OARM Office/Division	Grade
CINCINNATI, OHIO		
1654-Printing Services	OARM-Cincinnati/Facilities Management and Services Division	Total # All Series:
318-Secretary	OARM-Cincinnati/Facilities Management and Services Division	13
343-Management and Program Analysis	OARM-Cincinnati (Records Management)/Information Resources Management Division	9
DURHAM, NORTH CAROLINA		13
201-Human Resources Management	OARM-RTTP/Human Resources Management Division/Employee Services Section	Total # All Series:
801-General Engineering	OARM-RTTP/Facilities Operations Branch	12
WASHINGTON, DC		14
1001-General Arts and Information	OROM/IO	Total # All Series:
	OAM/Acquisition Policy and Training Service Center	15
	OAM/Acquisition Policy and Training Service Center	13
	OAM/Management and Support Service Center	13
	OAM/RTTP Procurement Operations Division	13
	OAM/IO	14
	OAM/Acquisition Policy and Training Service Center	14
	OAM/Acquisition Policy and Training Service Center	14
	OAM/Management Support Service Center	14
	OAM/RTTP Procurement Operations Division	14
	OAM/Acquisition Policy and Training Service Center	14
	OAM/Acquisition Policy and Training Service Center	14
	OAM/Headquarters Procurement Ops Division	14
	OAM/Headquarters Procurement Ops Division	14
	OAM/Headquarters Procurement Ops Division	14
	OAM/Headquarters Procurement Ops Division	14
	OAM/Acquisition Policy and Training Service Center	14
	OAM/Acquisition Policy and Training Service Center	14
	OAM/IO	15
	OAM/IO	15
	OAM/IO	15
	OAM/IO	15
	OAM/IO	15
	OAM/Policy Training and Oversight Division	15
	OAM/Policy Training and Oversight Division	15
1106-Procurement Clerical and Technician	OAM/Management Support Service Center	7
1109-Grants Management	OGD/Fellowships, IAGs and SEEs Branch	12
	OGD/Fellowships, IAGs and SEEs Branch	12
	OGD/Fellowships, IAGs and SEEs Branch	12
	OGD/Fellowships, IAGs and SEEs Branch	12
	OGD/Fellowships, IAGs and SEEs Branch	13
	OGD/Fellowships, IAGs and SEEs Branch	14
	OGD/National Policy, Training and Compliance Division OK	13
	OGD/National Policy, Training and Compliance Division OK	13
	OGD/National Policy, Training and Compliance Division OK	14
	OGD/Suspension and Debarment OK	14
	OGD/Grants Management Branch?	15
2210-Information Technology Management	OAM/IO	13
	OAM/IO	13
	OAM/IO	13
	OAM/IO	13
	OAM/IO	13
	OAM/IO	14
	OAM/IO	14
	OAM/IO	14

(b) (6), (b) (5)

	OAM/IO	15	
	OHR/ITD	13	
	OHR/ITD	13	
	OHR/ITD	14	
	OHR/ITD	15	
Total 2210 Proposed:			
301-Miscellaneous Administration and Program	OROM/AOSD	13	
	OROM/RAPD	9	
	OAM/Management Support Service Center	9	
	OHR/ITD (Information Management Specialist)	13	
	OHR/ITD (Information Management Specialist)	13	
	OHR/ITD (Information Management Specialist)	14	
	OHR/Employee Services Branch (Conflict Management)	14	
	OHR/IO (Executive Assistant)	15	
	OALJ	12	
	Total 301 Proposed:		
303-Miscellaneous Clerk and Assistant	OHR/IO	6	
	OGD/National Policy, Training and Compliance Division	8	
306-Government Information Specialist	OAM/Management Support Service Center	12	
		12	
		12	
318-Secretary	OAM/Policy, Training and Oversight Division	9	
	OAM/Supervisory/RCRA/Regional Proc Ops Division	9	
0326-Office Automation Clerical and Assistance	OAM/Management Support Service Center	7	
	OHR/Policy, Planning and Training Division	4	
Total 326 Proposed:			
341-Administrative Officer	OAM/IO	12	
	OA/Headquarters Service Branch	12	
	OA/Headquarters Operations Branch	13	
	OA/Headquarters Operations Branch	13	
	OA/Headquarters Operations Branch	13	
	OA/Headquarters Operations Branch	13	
	OA/Headquarters Operations Branch	13	
	OA/Real Property Services Staff	13	
	OA/Headquarters Service Branch	14	
	OA/Headquarters Service Branch	14	
342-Support Services Administration	OA/Headquarters Operations Branch	14	
	OROM/FACMD	12	
		14	
		14	
		14	
		14	
	OROM/RAPD	15	
		13	
	OROM/AOSD	15	
		15	
	OAM/Acquisition Policy and Training Service Center	15	
	OAM/IO	13	
	OAM/Headquarters Procurement Ops Division	14	
	OGD	14	
	OHR/Diversity and Recruitment Branch	14	
	OHR/IO	14	
	OHR/Diversity and Recruitment Branch	14	
	OHR/Program Management Staff	14	
	OHR/Diversity and Recruitment Branch	14	
	OHR/Training Branch	14	
	OHR/Training Branch	14	
		14	

343-Program and Management Analyst	OHR/Training Branch	14
	OHR/Diversity and Recruitment Branch	14
	OHR/Policy and Accountability Branch	14
	OHR/Employee Services Branch	14
	OHR/Training Branch	14
	OHR/Executive Resources Division	14
	OHR/Diversity and Recruitment Branch	15
	OHR/Training Branch	15
	OHR/IO	15
	OA/Sustainable and Transportation Solutions	7
	OA/Headquarters Operations Branch	12
	OA/Personnel Security Branch	12
	OA/Resource Management Staff	13
	OA/Security Management Division	13
	OA/Physical Security and Preparedness Branch	13
	OA/IO	13
	OA/Resource Management Staff	13
	OA/Facilities Management and Services Branch	13
	OA/Headquarters Service Branch	13
	OA/Headquarters Service Branch	13
	OA/Physical Security and Preparedness Branch	13
	OA/Personnel Security Branch	13
	OA/Safety and Sustainability Division	13
	OA/Environ, Safety, and Health Prog Branch	13
	OA/Sustainable and Transportation Solutions	13
	OA/Real Property Services Staff	13
	OA/Headquarters Service Branch	14
	OA/Headquarters Service Branch	14
	OA/Environ, Safety, and Health Prog Branch	14
	OA/Environ, Safety, and Health Prog Branch	14
	OA/Resource Management Staff	14
	OA/Real Property Services Staff	15
	OA/Resource Management Staff	15
	OA/Real Property Services Staff	15
	OA/IO	15
	OA/IO	15
	OA/Security Management Division	15
	OA/Safety and Sustainability Division	15
Total 343 Proposed:		13
510-Accounting	OA/M/Financial Analysis and Oversight Service Center	13
		14
		14
		14
511-Auditing	OA/M/FTP Procurement Operations Division	12
	OA/M/Financial Analysis and Oversight Service Center	13
	OA/M/Financial Analysis and Oversight Service Center	13
	OA/M/Financial Analysis and Oversight Service Center	13
	OA/M/Financial Analysis and Oversight Service Center	14
	OA/M/Financial Analysis and Oversight Service Center	15
905-General Attorney	OROM/F/ACMD	14
1801 - Compliance Specialist	OCGD/Suspension and Debarment	13
Grand Total		13

7/21/17

(b) (6)

#	Office	Series	Grade	Separation Type	Application Date
1	OROM	0301	GS-13	Optional Voluntary Retirement with VSIP	7/13/2107
2	OGD	0343	GS-14	Optional Voluntary Retirement with VSIP	7/13/2017
3	OA	0343	GS-15	Resignation - VSIP Only	7/13/2017
4	OARM-RTP	0801	GS-14	Optional Voluntary Retirement with VSIP	7/13/2017
5	OROM	0343	GS-15	Optional Voluntary Retirement with VSIP	7/13/2017
6	OAM	0318	GS-9	Optional Voluntary Retirement with VSIP	7/13/2017
7	OHR	0343	GS-15	Optional Voluntary Retirement with VSIP	7/13/2017
8	OROM	0343	GS-13	Optional Voluntary Retirement with VSIP	7/13/2017
9	OAM	1102	GS-15	Optional Voluntary Retirement with VSIP	7/13/2017
10	OA	0301	GS-12	Early Retirement - (VERA with VSIP)	7/13/2017
11	OA	0343	GS-14	Early Retirement - (VERA with VSIP)	7/13/2017
12	OAM	0510	GS-14	Optional Voluntary Retirement with VSIP	7/13/2017
13	OHR	0343	GS-14	Optional Voluntary Retirement with VSIP	7/13/2017
14	OAM	1102	GS-13	Optional Voluntary Retirement with VSIP	7/13/2017
15	OA	0343	GS-13	Optional Voluntary Retirement with VSIP	7/13/2017
16	OAM	01102	GS-14	Optional Voluntary Retirement with VSIP	7/13/2017
17	OGD	0303	GS-08	Optional Voluntary Retirement with VSIP	7/13/2017
18	OHR	0326	GS-07	Optional Voluntary Retirement with VSIP	7/13/2017
19	OA	0343	GS-12	Optional Voluntary Retirement with VSIP	7/13/2017
20	OA	0342	GS-13	Optional Voluntary Retirement with VSIP	7/13/2017
21	OA	0342	GS-13	Optional Voluntary Retirement with VSIP	7/14/2017
22	OHR	0343	GS-14	Optional Voluntary Retirement with VSIP	7/14/2017
23	OAM	1102	GS-13	Optional Voluntary Retirement with VSIP	7/16/2017
24	OA	0343	GS-15	Early Retirement - (VERA with VSIP)	7/17/2017
25	OGD	1109	GS-12	Optional Voluntary Retirement with VSIP	7/17/2017
26	OAM	1102	GS-15	Optional Voluntary Retirement with VSIP	7/17/2017
27	OGD	1109	GS-14	Optional Voluntary Retirement with VSIP	7/17/2017
28	OGD	1109	GS-13	Optional Voluntary Retirement with VSIP	7/17/2017
29	OAM	1102	GS-15	Optional or Early Retirement with NO VSIP	7/20/2017
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					
41					
42					



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 12 2017

OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

MEMORANDUM

SUBJECT: Voluntary Separation Incentive Payment and Voluntary Early Retirement Authority Opportunities

FROM: Donna J. Vizian
Acting Assistant Administrator

TO: OARM Employees in VERA/VSIP Targeted Positions

The U.S. Office of Personnel Management and the U.S. Office of Management and Budget have approved our request to offer Voluntary Separation Incentive Payment (buy-out) and Voluntary Early Retirement Authority (early-out) opportunities. As our organization explores various workforce planning efforts, we want to take advantage of these and other flexibilities and tools to help ensure that our workforce possesses the mix of skills most appropriate for carrying out our mission. This decision was not made lightly; we value our dedicated employees and appreciate the work you perform on behalf of the American people.

In accordance with statute and regulations, we identified the specific grades, occupational series, and geographic locations designated for VERA and VSIP for OPM and OMB, and have received their approval for the categories identified in Attachment A. The maximum number of VSIPs offered to employees in OARM will be 98. If the number of applications received exceeds the maximum number of VSIPs we can offer under one of the categories identified in Attachment A, approvals will be based first on service computation date for leave and then on entry on duty date (total EPA years of service). If the SCD and EOD dates are the same for two eligible employees, then the offer will be granted to the employee who submitted his or her application first. Attachment A also shows the maximum number of VSIP offers that will be approved by organization, grade, occupational series, and geographic location, as applicable.

You can find basic eligibility criteria for VSIPs and VERAs in Attachment B. The Human Resources Shared Service Center can provide you with more information regarding your benefits and retirement, and can assist you with obtaining a retirement annuity estimate (OARM-RTP employees should contact the HR Shared Service Center in RTP). Attachment C provides contact information for this purpose.

If you decide to apply, you should do so early in the application period, which opens on July 13, 2017 and closes at 11:59 p.m. Eastern standard time on July 26, 2017. Applications submitted between 12:00 a.m. EST, July 13, 2017 and 11:59 p.m. EST, July 26, 2017, will be accepted on a

first come, first served basis if the number of applications does not exceed the maximum VERA/VSIP offers available.

Applications will only be accepted during this period using the online application system. Specific instructions on how and when to apply are in Attachment D. If you do not have access to the EPA computer network and would like to submit an application, you must contact your supervisor who can assist you with the application process. If your application is approved and you decide to proceed with VERA and/or VSIP, you must depart during the separation window which ends on September 2, 2017.

The decision to take advantage of a VERA or VSIP is **entirely voluntary**. This is a very personal decision. No one will be pressured to submit an application, and no one is required to accept an offer. You are urged to carefully consider the information provided and your personal situation prior to making a decision.

We will continue to provide anyone considering this decision with useful information and expert contacts. We plan to use all flexibilities and tools available to help OARM most effectively support both individual employees as well as the agency's strategic mission.

Thank you.

Attachments

APPROVED EMPLOYEE CATEGORIES FOR VERA AND VSIP

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
OARM-Cincinnati	1654-Printing Services	13	1	1
	318-Secretary	9	1	1
	343-Management and Program Analysis (Records Management)	13	1	1
Total			3	3

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
OARM-RTP	201-Human Resources Management	12	1	1
	801-General Engineering	14	1	1
Total			2	2

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
Office of Administrative Law Judges	301-Miscellaneous Administration and Program	12	1	1
Total			1	1

Attachment A

APPROVED EMPLOYEE CATEGORIES FOR VERA AND VSIP

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
OROM	1001-General Arts and Information	15	1	1
	Total		1	1
OROM/AOSD	301-Miscellaneous Administration and Program	13	1	1
	Total		1	1
OROM/RAPD	301-Miscellaneous Administration and Program	9	1	1
	Total		1	1
OROM/FACMD	343-Management and Program Analysis	12	1	3
		14	4	
		15	1	
OROM/RAPD	343-Management and Program Analysis	13	1	1
OROM/AOSD	343-Management and Program Analysis	15	3	2
OROM/FACMD	905-General Attorney	14	1	1
	Total		11	7

APPROVED EMPLOYEE CATEGORIES FOR VERA AND VSIP

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
Office of Acquisition Management (all locations)	1102-Procurement Analyst	13	4	16
		14	14	
		15	7	
	Total		25	16
OAM/Management Support Service Center	1106-Procurement Clerical and Technician	7	1	1
OAM	2210-Information Technology Management		1	1
		13	5	8
		14	2	
		15	1	
	Total		8	8
OAM/Management Support Service Center	301-Miscellaneous Administration and Program	9	1	1
	Total		1	1
OAM/Management Support Service Center	306-Government Information Specialist	12	3	3
	Total		3	3
OAM/Policy Training and Oversight Division	318-Secretary	9	1	1

OAM/Superfund/RCRA/Regional Proc Ops Division	318-Secretary	9	1	1
	Total		2	2
OAM/Management Support Service Center	326-Office Automation Clerical and Assistance	7	1	1
	Total		1	1
OAM/IO	341-Administrative Officer	12	1	1
	Total		1	1
OAM/IO/Acquisition Policy and Training Service Center/Headquarters Procurement Ops Division	343-Management and Program Analysis	13	1	3
		14	2	
	Total		3	3
OAMFinancial Analysis and Oversight Service Center	510-Accounting	13	1	2
		14	3	
	Total		4	2
OAM/RTP Procurement Operations Division/Financial Analysis and Oversight Service Center	511-Auditing	12	1	4
		13	3	
		14	1	
		15	1	
	Total		6	4

APPROVED EMPLOYEE CATEGORIES FOR VERA AND VSIP

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
Office of Human Resources/ITD	2210-Information Technology Management	13	2	2
		14	1	
		15	1	
Total			4	2
OHR/ITD/Employee Services Branch/IO	301-Miscellaneous Administration and Program	13	2	2
		14	2	
		15	1	
Total			5	2
OHR/IO	303-Miscellaneous Clerk and Assistant	6	1	1
Total			1	1
OHR/Policy, Planning and Training Division	326-Office Automation Clerical and Assistance	4	1	1
Total			1	1
OHR	343-Management and Program Analysis	14	14	5
		15	2	
		Total		

APPROVED EMPLOYEE CATEGORIES FOR VERA AND VSIP

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
OGD/Fellowships, IAGs and SEEs Branch	1109-Grants Management	12	3	2
		13	1	
		14	1	
OGD/National Policy, Training and Compliance	1109-Grants Management	13	1	2
		14	1	
OGD/Suspension and Debarment	1109-Grants Management	14	1	1
OGD/Grants Management Branch	1109-Grants Management	15	1	1
		Total		6
OGD/National Policy, Training and Compliance Division	303-Miscellaneous Clerk and Assistant	8	1	1
OGD/Resource Management Staff	343-Management and Program Analysis	14	1	1
		Total		1
OGD/Suspension and Debarment	1801 - Compliance Specialist	13	1	1
		Total		1

APPROVED EMPLOYEE CATEGORIES FOR VERA AND VSIP

Office	Title/Series	Grade	Number of Positions Targeted	Maximum Number of VERA/VSIPs to be Offered
Office of Administration/Headquarters Service Branch/Headquarters Operations Branch	342-Support Services Administration	12	1	10
		13	8	
		14	1	
		15	1	
		Total		
OA	343-Management and Program Analysis	7	1	10
		12	2	
		13	14	
		14	6	
		15	6	
Total		29		10

VOLUNTARY SEPARATION INCENTIVE PAYMENT (VSIP) AND VOLUNTARY EARLY RETIREMENT AUTHORITY (VERA) ELIGIBILITY

NOTE: This chart is intended to provide information about general eligibility. If you have any questions about whether or not you meet any of the criteria, you should apply, so the Human Resources Shared Service Center can make an official determination.

You ARE eligible for a VSIP if you:	You ARE eligible for VERA if you:	You are NOT eligible for VSIP if you:
are serving under an appointment without time limitation	meet the minimum age and service requirements: <ul style="list-style-type: none"> - at least age 50 with at least 20 years of credible federal service OR - any age with at least 25 years of creditable federal service 	are a reemployed annuitant
have been currently employed by the federal government for a continuous period of at least three years	have been continuously employed by the Agency for at least 31 days before the date your region or program office initially requested OPM approval for VERA	have a disability such that you are or would be eligible for disability retirement
are serving in a position covered by your region or program office's VSIP offer	are serving under an appointment without time limitation	have received a decision notice of involuntary separation for misconduct or unacceptable performance
apply for and receive approval for a VSIP from the Agency	have not received a final removal decision based on misconduct or unacceptable performance	have previously received a VSIP from the federal government
separate by September 2, 2017	are serving in a position covered by your region or program office's VERA offer	performed service during the 36-month period preceding the date of separation for which a student loan repayment benefit was paid or is to be paid
	retire under the VERA option during your program or region's VERA window	performed service during the 24-month period preceding the date of separation for which a recruitment or relocation bonus was paid or is to be paid
		performed service during the 12-month period preceding the date of separation for which a retention bonus was paid or is to be paid

POINTS OF CONTACT

If you have questions about retirement and benefits or general questions about VERA and VSIP, please contact the HR Shared Service Center as shown below. You may also contact the SSCs if you have questions about FedHR Navigator (the on-line retirement annuity tool) or wish to have a retirement estimate prepared.

For OARM employees located in Washington, DC or Cincinnati, OH and OAM employees in RTP and Cincinnati

Email: CIN_HRSSC_Benefits_Central@epa.gov

Include "VERA/VSIP Related Request" in your email subject line.

Telephone: 513-569-7699

For OARM-RTP employees (excludes OAM employees in RTP)

Email: ESC-SSC-RTP@epa.gov

Include "VERA/VSIP Related Request" in your email subject line.

Telephone: Cynthia Burt, 919-541-0309

If you have specific questions about OARM's VERA or VSIP package, please contact your Office Director:

OROM:

Lynnann Hitchens

202-564-3184

hitchens.lynnann@epa.gov

OA

Vaughn Noga

202-566-0307

noga.vaughn@epa.gov

OHR

Linda Gray

202-564-2275

gray.linda@epa.gov

OAM

Kimberly Patrick

202-566-2605

patrick.kimberly@epa.gov

OGD

Denise Polk

202-564-5306

polk.denise@epa.gov

OARM-Cincinnati

Rick Carter

513-569-7910

carter.rick@epa.gov

OARM-RTP

Arron Helm

919-541-2258

helm.arron@epa.gov

HOW AND WHEN TO APPLY FOR VERA AND VSIP

Before You Apply

Read the memorandum from your region or program office announcing the VERA and VSIP. You should ensure that you are in a targeted position by reviewing Attachment A. **If you are interested in the VERA and/or VSIP but are unsure about your eligibility, you should apply during the application window, so the SSC can make an official determination.**

Where to Find Additional Information

The Office of Personnel Management has information on its website regarding VERAs and VSIPs. You may also view additional information on the agency's VERA/VSIP intranet site. If you need additional information, please call or email the SSC points of contact identified in Attachment C.

Estimating Retirement Pay

There are two methods for you to obtain an annuity estimate. The FedHR Navigator allows you to estimate your own basic annuity. A webinar with instructions on using the FedHR Navigator can be found at <http://intranet.epa.gov/policy/buyouts/pdfs/FHR-Navigator-Webinar.pdf>.

Or, you may contact the SSC identified in Attachment C to request an annuity estimate.

Application Window

The application window (the time during which you must apply for a VERA or VSIP) opens July 12, 2017 and closes at 11:59 pm Eastern standard time on July 26, 2017. Applications submitted between 12:00 a.m. EST, July 12, 2017 and 11:59 p.m. EST, July 26, 2017, will be accepted on a first come, first service basis. Applications submitted after 11:59 p.m. EST, July 26, 2017, will not be considered.

Application Process

Step 1: From your EPA computer, login to the online application at <http://drupal.rtp.epa.gov/veravsip/>

Step 2: Complete your application and press submit when you have fully completed all of the blocks. If you need assistance completing this form and/or you require an alternative application method, please contact your SSC identified in Attachment C for assistance in submitting an application.

You should apply early in the application window in case you experience any problems or issues in applying.

Step 3: You will receive an email notification from the VERA/VSIP online system when your application has been received.

After You Apply

The servicing SSC will review your application and notify you of your eligibility. You should receive a notification no later than August 2, 2017. If you are eligible and your application is approved, the SSC will ask you to complete the necessary paperwork to process your separation.

VERA/VSIP Eligibility Listing - OARM
8/4/2017

OAR#	Organization
1	OGD-Suspension
2	OAM
3	OA
4	OHR
5	OAM
6	OAM
7	OAM
8	OHR
9	OGD-Grants Mgmt
10	OROM/AOSD
11	OGD-Fellowship
12	OA
13	OA
14	OAL
15	OAM
16	OAM
17	OAM
18	OA
19	OGD-National
20	OGD-National
21	OA
22	OAM
23	OAM
24	OHR
25	OAM
26	OA
27	OA
28	OROM/RAPD
29	OHR
30	OROM/AOSD

(b) (5)

(b) (6)

Office of Pesticide Programs 50 Approved Hires (paid by Fees)

Antimicrobials Division (AD)	Biological and Economic Analysis Division (BEAD)	Biopesticides and Pollution Prevention Division	Environmental Fate and Effects Division (EFED)	Field and External Affairs Division (FEAD)	Health Effects Division	Information Technology and Resources	Pesticide Re- Evaluation Division (PRD)	Registration Division (RD)
(b) (5)								

Interdisciplinary Scientist
(Toxicologist/Chemist/Biologist)
Plant Pathologist/
Entomologist/Agronomist/Biologist
Economists
Microbiologist
Modeler
Enterprise Architect
EPS
TOTAL

TALKING POINTS – TOWN HALL MEETINGS ON
VERA/VSIP PLANS
June 2017

- I want to thank everyone for coming today so we can give you an update on the agency's approach and status of early outs and buyouts (VERA/VSIPs).
- As the Acting Deputy Administrator shared with all of you, the agency is seeking approval from the Office of Personnel Management and the Office of Management and Budget to be granted Voluntary Early Retirement Authority and offer Voluntary Separation Incentive Payments to employees.
- The Acting Deputy Administrator had asked all program and regional offices to review their resources, and each program and region submitted a plan to the office of Human Resources in the Office of Administration and Resources Management. In developing the VERA/VSIP business case, the agency considered multiple factors including (but not limited to):
 - increasing staff to supervisor ratio;
 - consolidating and streamlining programs and functions;
 - restructuring or reducing highly graded supervisory and non-supervisory positions;
 - focusing on core business functions, programmatic and STEM priorities

- The OHR analyzed these plans and prepared a consolidated agency plan.
- On June 16th, the agency submitted its draft plan to OPM and OMB. We are now awaiting formal plan approval which we hope to receive by late June.
- OITA's submission focused primarily on reducing the number of higher-graded positions in the office. To a lesser extent, we also focused on further reducing administrative positions (although we've already reduced the number of admin positions through the 2014 VERA/VSIP and through attrition).
- This VERA/VSIP process will be managed in a way similar to past VERA/VSIP processes.
- Each employee eligible for the VERA/VSIP will receive a letter outlining the application process. Employees will apply on-line. Applications from OITA staff will be sent to the Las Vegas HR Shared Service Center.
- The SSC will confirm receipt of applications via email. It will also evaluate the eligibility of all applicants.

- **Remember that applying for VERA/VSIP is strictly voluntary.**
- We will share other process details with employees as they become available.
- All employees who are taking a VERA/VSIP must be separated from the agency by September 2, 2017.
- If you are considering applying for, or choose to apply for a VERA/VSIP, there are retirement classes and webinars. Retirement counseling is being offered through the HR shared Service Centers.
- If you have any questions about the VERA/VSIP process or want to see the list of retirement trainings that are available, I encourage you to visit the VERA/VSIP intranet site at <http://intranet.epa.gov/policy/buyouts/index.htm> or contact the Las Vegas SSC.
- I am going to open the floor for your questions, but assure you that most of the details concerning the VERA/VSIP process will be in the letters that will be sent out.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 12 2017

OFFICE OF
WATER

MEMORANDUM

SUBJECT: Voluntary Early Retirement Authority and Voluntary Separation Incentive Payment Opportunities

FROM:

Michael H. Shapiro *Michael Shapiro*
Acting Assistant Administrator

TO:

All Office of Water Employees

This is a follow-up to Acting Deputy Administrator Mike Flynn's messages last month to all agency employees regarding Voluntary Early Retirement Authority and Voluntary Separation Incentive Payment opportunities. I am pleased to let you know that the U.S. Office of Personnel Management and the U.S. Office of Management and Budget have approved our request to offer VERA/VSIP opportunities to a limited number of EPA employees.

An employee whose position is in the VERA/VSIP pool will be receiving a separate letter from me. The letter will provide specifics on the application process; please be aware the application period opens on July 13, 2017 and closes at 11:59 p.m. Eastern standard time on July 26, 2017. Employees must depart the agency by September 2, 2017.

The decision to take advantage of a VERA or VSIP is entirely voluntary. This is a very personal decision and no one is required to accept an offer. Employees are urged to carefully consider the information provided and their personal situation prior to deciding. Please contact Alfredo Torrez with any questions you may have about our VERA/VSIP.

Workforce Reshaping: Early-Outs/Buy-Outs

BACKGROUND

Voluntary Early Retirement Authority (VERA) provides agencies the option to offer voluntary early retirement that are undergoing substantial restructuring, reshaping, downsizing, transfer of function, or reorganization. It is an option for increasing voluntary attrition – provides an incentive for employees to voluntarily retire or resign and could provide placement opportunities for employees occupying surplus positions.

Buy-Out or Voluntary Separation Incentive Payment (VSIP) Authority allows agencies that are downsizing or restructuring to offer employees lump-sum payments up to \$25,000 as an incentive to voluntarily separate. An agency may offer VSIP to employees who are in surplus positions or have skills that are no longer needed in the workforce who volunteer to separate by resignation, optional retirement, or by voluntary early retirement.

REQUIREMENTS

EPA has held discussions with OPM about developing the required business case that outlines our plan for achieving reductions. The business case includes:

- Justification for request
- Data on the targeted population (targeted positions will be eliminated or restructured; positions critical to the agency should not be included in the targeted population)
- Before and after organizational charts, as applicable
- Time period the incentives are available
- Anticipated budget impact
- Anticipated employee interest
- The maximum number of buy-outs to be offered
- Information about how the organization will operate without the eliminated or restructured positions and functions.

OPM and OMB approval is required and approval generally takes 4-6 weeks and will stipulate a period of time during which the agency can offer the two incentives.

TIMELINE

(b) (5)



CURRENT RETIREMENT ELIGIBILITY OF EPA EMPLOYEES

Of 15,053 permanent employees:

3,186 are currently eligible to retire now;

3,788 are VERA eligible; and

13,618 are VSIP eligible.

RESULTS FROM 2014/2015 V/V EFFORTS

In 2014 we targeted 5,828 positions and the maximum number to be approved was 1,365. Total departures were 456 employees which is 7.82% of what was targeted and 33.4% of what we agreed to approve.

In 2015 we targeted 2,095 positions and the maximum number for approval was 587. Total departures were 196 (9.36% of the targeted number and 33.4% of what we agreed to approve.)

Total departures for both years was 652 employees.

EPA RETIREMENT/VERA/VSIP INFORMATION (3/17/2017)

	Total Non-Term Employees	Retirement Eligible	VERA Eligible (does not include RE)	VSIP Eligible
AO	338	75	82	314
OECA	733	173	163	689
OGC	223	35	52	180
OIG	274	43	58	252
OITA	74	10	20	70
OCFO	312	51	85	285
OEI	340	70	80	310
OARM	698	117	167	642
OW	584	101	95	504
OLEM	497	114	133	453
OAR	1146	182	269	1004
OCSPP	1000	206	227	883
ORD	1586	421	324	1470
R1	569	134	206	523
R2	787	199	245	729
R3	828	191	226	722
R4	918	166	299	826
R5	1084	254	312	978
R6	738	222	169	669
R7	507	75	110	442
R8	529	94	133	492
R9	740	145	208	679
R10	548	108	125	502
EPA TOTAL	15053	3186	3788	13618

VSIP

When an agency has received approval from OPM to offer VSIPs, any employee (as defined in 5 U.S.C. 2105) who meets these general eligibility requirements may receive an offer. The employee must:

1. Be serving in an appointment without time limit;
2. Be currently employed by the Executive Branch of the Federal Government for a continuous period of at least 3 years;
3. Be serving in a position covered by an agency VSIP plan (i.e., in the specific geographic area, organization, series and grade);
4. Apply for and receive approval for a VSIP from the agency making the VSIP offer; and
5. Not be included in any of the ineligibility categories listed below.

Employees in the following categories are not eligible for a VSIP:

1. Are reemployed annuitants;
2. Have a disability such that the individual is or would be eligible for disability retirement;
3. Have received a decision notice of involuntary separation for misconduct or poor performance;
4. Previously received any VSIP from the Federal Government;
5. During the 36-month period preceding the date of separation, performed service for which a student loan repayment benefit was paid, or is to be paid;
6. During the 24-month period preceding the date of separation, performed service for which a recruitment or relocation incentive was paid, or is to be paid;
7. During the 12-month period preceding the date of separation, performed service for which a retention incentive was paid, or is to be paid

VERA

To be eligible to retire under VERA, an employee must:

1. Meet the VERA minimum age and service requirements (i.e., the employee has completed at least 20 years of creditable service and is at least age 50, or has completed at least 25 years of creditable service regardless of age) – Note: The minimum age and service requirements are set by statute in 5 U.S.C. 8336(d)(2) for CSRS employees and in 5 U.S.C. 8414(b)(1) for FERS employees. OPM has no authority to waive either the minimum age or service requirements for VERA eligibility.
2. Have been continuously employed by the agency for at least 31 days before the date that the agency initially requested OPM approval of VERA;
3. Hold a position that is not a time-limited appointment;
4. Have not received a final removal decision based upon misconduct, or unacceptable performance;
5. Hold a position covered by the agency's VERA; and
6. Retire under the VERA option during the agency's VERA window.

Workforce Reshaping: Early-Outs/Buy-Outs

BACKGROUND

Voluntary Early Retirement Authority (VERA) provides agencies that are undergoing substantial restructuring, reshaping, downsizing, transfer of function, or reorganization the option to offer voluntary early retirement. It is an option for increasing voluntary attrition – provides an incentive for employees to voluntarily retire or resign and could provide placement opportunities for employees occupying surplus positions.

Buy-Out or Voluntary Separation Incentive Payment (VSIP) Authority allows agencies that are downsizing or restructuring to offer employees lump-sum payments up to \$25,000 as an incentive to voluntarily separate. An agency may offer VSIP to employees who are in surplus positions or have skills that are no longer needed in the workforce who volunteer to separate by resignation, optional retirement, or by voluntary early retirement.

CURRENT RETIREMENT ELIGIBILITY OF EPA EMPLOYEES

Of 15,053 permanent employees:

- 3,186 are currently eligible to retire now;
- 3,788 are VERA eligible; and
- 13,618 are VSIP eligible.

REQUIREMENTS

- Business Case - justification for request (cannot be based on a proposed budget) – base on efficiencies that could be obtained or identification of skill no longer needed
- Data on the targeted population (targeted positions will be eliminated or restructured; positions critical to the agency should not be included in the targeted population)
- Before and after organizational charts, as applicable
- Time period the incentives are available
- Anticipated budget impact
- Anticipated employee interest
- The maximum number of buy-outs to be offered
- Information about how the organization will operate without the eliminated or restructured positions and functions.

OPM and OMB approval is required and approval generally takes 4-6 weeks and will stipulate a period of time during which the agency can offer the two incentives.

TIMELINE

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RESULTS FROM 2014/2015 V/V EFFORTS

In 2014 we targeted 5,828 positions and the maximum number to be approved was 1,365. Total departures were 456 employees which is 7.82% of what was targeted and 33.4% of what we agreed to approve.

In 2015 we targeted 2,095 positions and the maximum number for approval was 587. Total departures were 196 (9.36% of the targeted number and 33.4% of what we agreed to approve.)

Total departures for both years was 652 employees.

Possible Scenarios

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ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency (EPA) is responsible for protecting human health and the environment. The budget for EPA reflects the success of environmental protection efforts, a focus on core legal requirements, the important role of the States in implementing the Nation's environmental laws, and the President's priority to ease the burden of unnecessary Federal regulations that impose significant costs for workers and consumers without justifiable environmental benefits. This would result in approximately 3,200 fewer positions. EPA would primarily support States and Tribes in their important role protecting air, land, and water in the 21st Century.

The President's 2018 Budget requests \$5.7 billion for the Environmental Protection Agency, a savings of \$2.6 billion, or 31 percent, from the 2017 annualized CR level.

The President's 2018 Budget:

- Provides robust funding for critical drinking and wastewater infrastructure. These funding levels further the President's ongoing commitment to infrastructure repair and replacement and would allow States, municipalities, and private entities to continue to finance high priority infrastructure investments that protect human health. The Budget includes \$2.3 billion for the State Revolving Funds, a \$4 million increase over the 2017 annualized CR level. The Budget also provides \$20 million for the Water Infrastructure Finance and Innovation Act program, equal to the funding provided in the 2017 annualized CR. This credit subsidy likely would be able to support more than \$1 billion in direct Federal loans.
- Discontinues funding for the Clean Power Plan, international climate change programs, climate change research and partnership grants, and related efforts—saving over \$100 million for the American taxpayer compared to 2017 annualized CR levels. Consistent with the President's America First Energy Plan, the Budget reorients EPA's air program to protect the air we breathe without unduly burdening the American economy.
- Reins in Superfund administrative costs and emphasizes efficiency efforts by funding the Hazardous Substance Superfund Account at \$762 million, \$330 million below the 2017 annualized CR level. The agency would prioritize the use of existing settlement funds to clean up hazardous waste sites and look for ways to remove some of the barriers that have delayed the program's ability to return sites to the community.
- Avoids duplication by concentrating EPA's enforcement of environmental protection violations on programs that are not delegated to States, while providing oversight to maintain consistency and assistance across State, local, and tribal programs. This reduces EPA's Office of Enforcement

and Compliance Assurance budget to at least \$419 million, which is \$129 million below the 2017 annualized CR level.

- Better targets EPA's Office of Research and Development (ORD) at a level of approximately \$250 million, which would result in a savings of \$233 million from the 2017 annualized CR level. ORD would prioritize activities that support decision-making related to core environmental statutory requirements, as opposed to extramural activities, such as providing STAR grants.
- Supports Categorical Grants, with \$597 million, a \$482 million reduction below 2017 annualized CR levels. These lower levels are in line with the broader strategy of streamlining environmental protection. This funding level eliminates or substantially reduces Federal investment in State environmental activities that go beyond EPA's statutory requirements.
- Eliminates funding for specific regional efforts such as the Great Lakes Restoration Initiative, the Chesapeake Bay, and other geographic programs. These geographic program eliminations are \$424 million lower than the 2017 annualized CR levels. The Budget returns the responsibility for funding local environmental efforts and programs to State and local entities, allowing EPA to focus on its highest national priorities.
- Eliminates more than 50 EPA programs, saving an additional \$347 million compared to the 2017 annualized CR level. Lower priority and poorly performing programs and grants are not funded, as well as duplicative functions that can be absorbed into other programs or that are State and local responsibilities. Examples of eliminations in addition to those previously mentioned include: Energy Star; Targeted Airshed Grants; the Endocrine Disruptor Screening Program; and infrastructure assistance to Alaska Native Villages and the Mexico Border.

EPA Proposed Reductions: \$500m - Internal Predeliberative

\$ in thousands

Program	FY 2016 Enacted \$ FTE	FY 2018 Passback \$ FTE	New Level \$ FTE	Δ (New Level - Passback) \$ FTE	Δ (New Level - FY16) \$ FTE
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OMB ADJUSTED LEVELS

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EPA Proposed Reductions: \$500m - Internal Predeliberative

\$ in thousands

Program	FY 2016 Enacted \$ FTE	FY 2018 Passback \$ FTE	New Level \$ FTE	Δ (New Level - Passback) \$ FTE	Δ (New Level - FY16) \$ FTE
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EPA First Round Adjustments

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\$ in thousands

	FY 2016 Enacted	FY 2018 Passback	New Level	Δ (New Level - Passback)	Δ (New Level - FY16)
	\$ FTE	\$ FTE	\$ FTE	\$ FTE	\$ FTE
Program					

Second Round Adjustment

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Total

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Summary Highlights of OMB's Passback for EPA's FY 2018 Budget

Topline

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Overall approach

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Workforce

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Reorganizations

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Funding for Administrator's stated Priorities in Passback:

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EPA Proposed Reductions: \$500m - Internal Predeliberative

\$ in thousands

Program	FY 2016 Enacted		FY 2018 Passback		New Level		Δ (New Level - Passback)		Δ (New Level - FY16)	
	\$	FTE	\$	FTE	\$	FTE	\$	FTE	\$	FTE

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Total	(b) (5)									
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FY 2016 Enacted	FY 2018 Passback	New Level	Δ (New Level - Passback)	Δ (New Level - FY16)	New Level % Change from FY 16	New Level % change from Passback
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Total
Target
Difference

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Internal Use Only – Not for Further Distribution

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Internal Use Only – Not for Further Distribution

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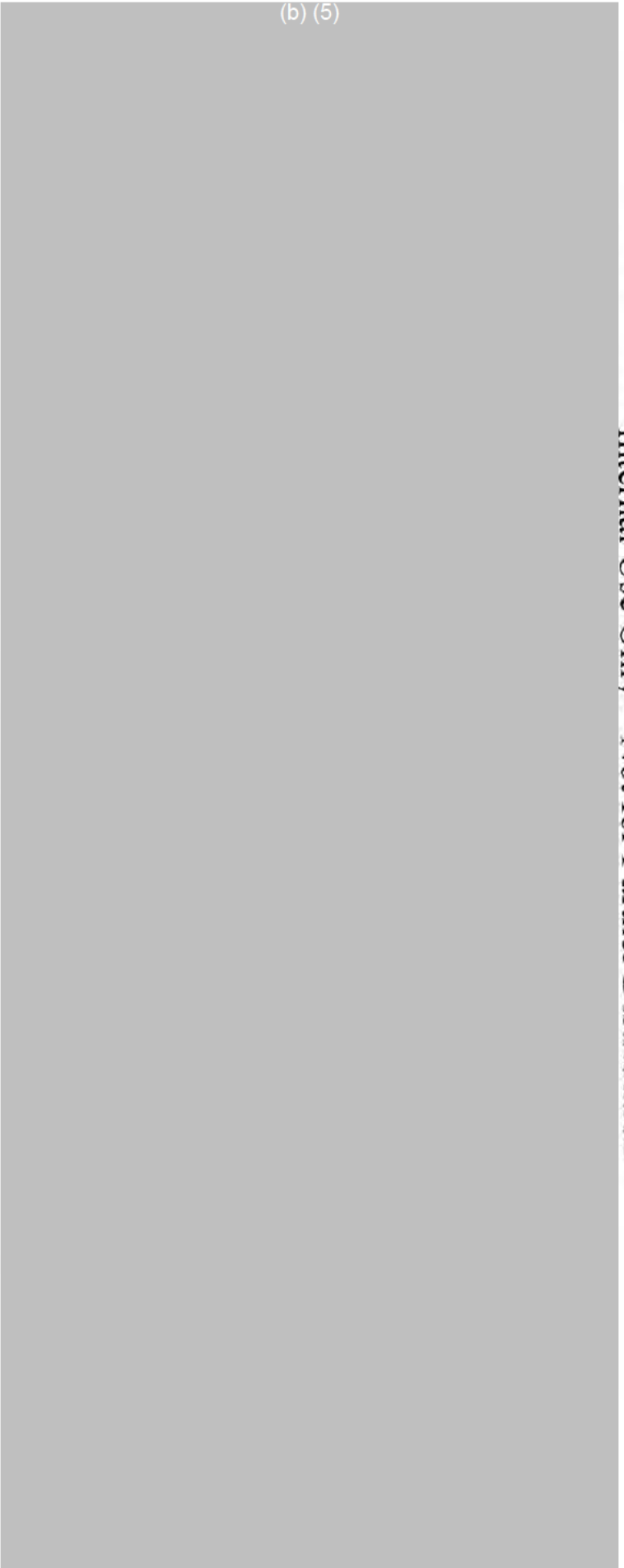


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